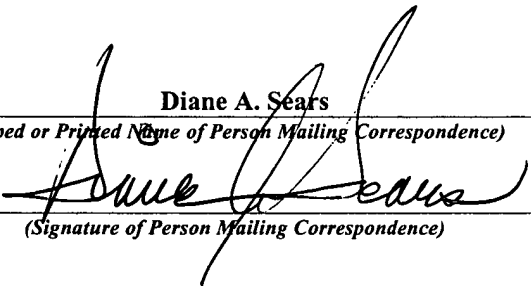


<b>CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)</b>			Docket No. Fischer 33-45-25	
Applicant(s): Jonathan H. Fischer, et al.			FEB 02 2004	
Serial No. 09/605,953	Filing Date 6/28/2000	Examiner Walter F. Briney III	Group Art Unit 2644	
Invention: <b>METHOD AND APPARATUS FOR NON-DISRUPTIVE TELECOMMUNICATION LOOP CONDITION DETERMINATION</b>				
I hereby certify that this <u>Statement Under 37 CFR 3.73(b)</u> (Identify type of correspondence) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>January 29, 2004</u> (Date)  <div style="text-align: center;"><u>Diane A. Sears</u> (Typed or Printed Name of Person Mailing Correspondence)  (Signature of Person Mailing Correspondence)</div>				
Note: Each paper must have its own certificate of mailing.				

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/605,953Filed/Issue Date: 6/28/2000Entitled: **METHOD AND APPARATUS FOR NON-DISRUPTIVE TELECOMMUNICATION LOOP  
CONDITION DETERMINATION**Agere Systems Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. [✓] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Jonathan H. Fischer, et al. To: Lucent Technologies Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 011225, Frame 0110, or for which a copy thereof is attached.
2. From: Lucent Technologies Inc. To: Agere Systems Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: Agere Systems Guardian Corp. To: Agere Systems Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[✓] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

1.29.04  
Date(215) 923-4466

Telephone number

Theodore Naccarella, Esquire

Typed or printed name

Theodore Naccarella  
Signature

Attorney for Applicant

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



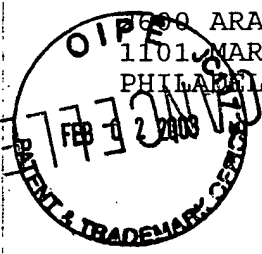
JAN 16 2001  
SYNNESTVEDT & LECHNER  
ATTEN: JPP/TXN



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 11, 2001

PTAS



SYNNESTVEDT & LECHNER LLP  
THEODORE NACCARELLA  
6000 ARAMARK TOWER  
1101 MARKET STREET  
PHILADELPHIA, PA 19107

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/26/2000 REEL/FRAME: 011225/0110  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
FISCHER, JONATHAN H. DOC DATE: 10/10/2000

ASSIGNOR:  
LATURELL, DONALD R. DOC DATE: 10/05/2000

ASSIGNOR:  
SMITH, LANE A. DOC DATE: 10/10/2000

ASSIGNEE:  
LUCENT TECHNOLOGIES, INC.  
600 MOUNTAIN AVENUE  
P.O. BOX 636  
MURRAY HILL, NEW JERSEY 07974-0636

SERIAL NUMBER: 09605953 FILING DATE: 06/28/2000  
PATENT NUMBER: ISSUE DATE:

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

IN THE U.

ICE

101514603

Please record the attached original document or copy thereof.

1. Name of Party(ies)

conveying an interest:

Jonathan H. Fischer

Donald R. Laturell

Lane A. Smith

Additional name(s) of  
Parties attached?

No

2.

Name and Address of Party(ies)  
receiving an interest:

Lucent Technologies, Inc.

600 Mountain Avenue

P.O. Box 636

Murray Hill, NJ 07974-0636

Additional name(s) and address(es)  
of Parties attached? No3. Description of interest  
conveyed:☒

Assignment

☐

Change of name

☒

Agreement

☐

Merger

Other

Execution Date: October 10, 2000

4. Application number(s) or patent number(s).

Additional numbers attached?

If this document is being filed together with a new application,  
the execution date of the application is:

A. Patent Application No.(s)

09/605,953

B. Patent No.(s)

5. Name and address of party to  
whom correspondence  
concerning documents should  
be mailed:

Attorney

Synnestvedt &amp; Lechner LLP

2600 Aramark Tower

1101 Market Street

Philadelphia, PA 19107

6. Number of applications and patents  
involved: 1

7. Total Fee (37 C.F.R. § 3.41) \$40.00

Enclosed: [ ] (Check No. )

Authorized to be charged: [ ]

8. Deposit Account Number: 12-2325  
Attach duplicate copy of this form if  
paying by deposit account.

DO NOT USE THIS SPACE

9. I declare under penalty of perjury under the laws of the United States of  
America that the foregoing is true and correct.

Dated:

10.23.00

Theodore Naccarella

Registration No. 33,023

11/12/2000 5:00PM 00000378 122325 03405933

PA F04391

40.00 CR

Total number of pages including  
cover sheet, attachments, and document: 5

**ASSIGNMENT AND AGREEMENT**

For value received, we, Jonathan H. Fischer of Blandon, in the County of Berks and State of Pennsylvania; and Donald R. Laturell of Allentown, in the County of Lehigh and State of Pennsylvania; and Lane A. Smith of Easton, in the County of Northampton and State of Pennsylvania, hereby sell, assign and transfer to Lucent Technologies Inc., a corporation of the State of Delaware, having an office at 600 Mountain Avenue, P.O. Box 636, Murray Hill, New Jersey 07974-0636, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **METHOD AND APPARATUS FOR NON-DISRUPTIVE TELECOMMUNICATION LOOP CONDITION DETERMINATION**, described in an application for Letters Patent of the United States, executed by me on even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Lucent Technologies Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Lucent Technologies Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Lucent Technologies Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Lucent Technologies Inc. in the United States and in all countries foreign to the United States, or to such nominees as Lucent Technologies Inc. may designate.

We agree that, when requested, we shall, without charge to Lucent Technologies Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Date: 10/10/2000

Jonathan H. Fischer

Jonathan H. Fischer

United States of America )

)

State of Pennsylvania ) ss:

)

County of Berks )

)

On this 10 day of October, 2000, before me personally came Jonathan H. Fischer, known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



MY COMMISSION EXPIRES:  
October 5, 2002

Sue Ellen Beuens

Notary Public

Date: Oct. 5, 2000

Donald R. Laturell

Donald R. Laturell

United States of America )

)

State of Pennsylvania ) ss:

)

County of Lehigh )

)

On this 5<sup>th</sup> day of October, 2000, before me personally came Donald R. Laturell, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Ros Ann Bachik  
Notary Public

Date: 10-05-00

Lane A. Smith  
Lane A. Smith

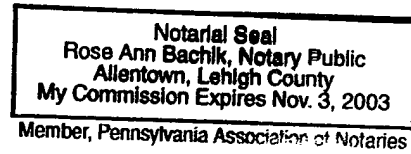
United States of America )

State of Pennsylvania ) ss:

County of Northampton )

On this 5<sup>th</sup> day of October, 2000, before me personally came Lane A. Smith, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Rose Ann Bachik  
Notary Public





## IN THE U.S. PATENT AND TRADEMARK OFFICE

## RECORDATION COVER SHEET

Please record the attached original document or copy thereof.

1. Name of Party(ies)  
conveying an interest:

Jonathan H. Fischer  
Donald R. Laturell  
Lane A. Smith

Additional name(s) of  
Parties attached? No

2. Name and Address of Party(ies)  
receiving an interest:

Lucent Technologies, Inc.  
600 Mountain Avenue  
P.O. Box 636  
Murray Hill, NJ 07974-0636

Additional name(s) and address(es)  
of Parties attached? No

3. Description of interest  
conveyed:

☒ Assignment

☐ Change of name

☒ Agreement

☐ Merger

Other \_\_\_\_\_ Execution Date: October 10, 2000

4. Application number(s) or patent number(s).  
Additional numbers attached? \_\_\_\_\_

If this document is being filed together with a new application,  
the execution date of the application is: \_\_\_\_\_

- A. Patent Application No. (s)

09/605,953

- B. Patent No. (s)

5. Name and address of party to  
whom correspondence  
concerning documents should  
be mailed:

Attorney  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107

6. Number of applications and patents  
involved: 1

7. Total Fee (37 C.F.R. § 3.41) \$40.00

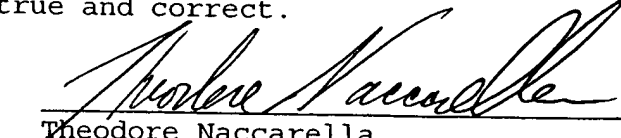
Enclosed: ☐ (Check No. \_\_\_\_\_)  
Authorized to be charged: ☐

8. Deposit Account Number: 12-2325  
Attach duplicate copy of this form if  
paying by deposit account.

DO NOT USE THIS SPACE

9. I declare under penalty of perjury under the laws of the United States of  
America that the foregoing is true and correct.

Dated: 10.23.00

  
Theodore Naccarella

Registration No. 33,023

Total number of pages including  
cover sheet, attachments, and document: 5

---

**AGREEMENT REGARDING  
POWERS OF ATTORNEY**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS INC.**

**Dated as of February 1, 2001**

---

**AGREEMENT REGARDING POWERS OF ATTORNEY**

This Agreement is effective as of February 1, 2001 between LUCENT TECHNOLOGIES INC., a Delaware corporation ("LUCENT"), having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, for itself and on behalf of its Subsidiaries (each and all herein after "LUCENT") and AGERE SYSTEMS INC., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("AGERE").

**WHEREAS**, the Board of Directors of LUCENT has determined that it is in the best interests of LUCENT and its stockholders to separate LUCENT's existing businesses into two independent businesses; and

**WHEREAS**, as part of the foregoing, LUCENT has assigned certain United States and corresponding foreign patents and patent applications to AGERE, which patents and applications were filed in the name of LUCENT and various of its subsidiaries and predecessors, including AT&T Corp., a New York corporation and various of its subsidiaries; and

**WHEREAS**, in order to effect its rights under such patents and to prosecute such patent applications, including recording such assignments, AGERE representatives need Power of Attorney from LUCENT and predecessors of LUCENT.

**THEREFORE**, LUCENT agrees to provide AGERE employees and employees of AGERE affiliated companies with Powers of Attorney in the form attached to act for LUCENT, any of its wholly-owned subsidiaries, and any of such predecessors with respect to such issued patents and pending patent applications in the names of LUCENT, such subsidiaries or any of such predecessors.


AGERE agrees to use such Powers of Attorney only with respect to those certain patents and patent applications which were assigned to AGERE by LUCENT.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy  
President - Intellectual Property Business

Date: 1/30/01

**AGERE SYSTEMS INC.**

By:   
Gerard A. deBlasi  
Vice President - Law

Date: 1/30/01

**GENERAL APPOINTMENT OF AGENT****And****POWER OF ATTORNEY**

---

Lucent Technologies Inc., for itself and its subsidiaries, and as successor in interest to patents of AT&T Corp. and its subsidiaries, hereby appoints:

Gerard A. deBlasi  
Fred M. Romano  
Scott W. McLellan  
Richard J. Botos  
Marie MacNichol  
Geraldine Monteleone  
Scott Rittman  
Anthony Grillo  
David Smith  
Robert P. Marley  
John Veschi  
Mark Kurisko  
Lea Birnbaum

as agents and attorneys to act on its and on Lucent Technologies Inc.'s behalf before any competent National and International Authorities in connection with any and all patents and patent applications filed by Lucent Technologies Inc., its wholly-owned subsidiaries or its predecessors, or issued or pending in the name of Lucent Technologies Inc., or any of its wholly-owned subsidiaries or predecessors, with the power to further appoint agents, and grant powers of attorney in connection therewith.

Lucent Technologies Inc.

By: 

Daniel P. McCurdy

President - Intellectual Property Business

Date: 1/30/01

**EXECUTION COPY**

---

**PATENT ASSIGNMENT**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS GUARDIAN CORP.**

**Dated as of January 30, 2001**

---

## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

## RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

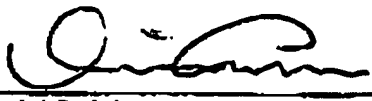
Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

Execution Copy

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy  
President, Intellectual Property Business

**AGERE SYSTEMS GUARDIAN CORP.**

By:   
Fred M. Romano  
President

---



Execution Copy

ACKNOWLEDGMENTS

STATE OF NEW JERSEY )


: ss:

COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and

b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name TAMORA ANNE HANNA  
Notary Public Notary Public of New Jersey  
My Commission Expires Registered in Hunterdon County  
[Notarial Seal] My Commission Expires March 25, 2002

STATE OF FLORIDA )

: ss:

COUNTY OF ORANGE )

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and

b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name  
Notary Public  
My Commission Expires:  
[Notarial Seal]



# Delaware

PAGE 1

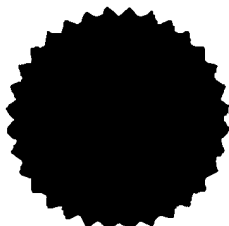
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,  
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 08/29/2002  
020545223 - 3268412

**CERTIFICATE OF OWNERSHIP AND MERGER**

**OF**

**Agere Systems Guardian Corp.  
(a Delaware corporation)**

**INTO**

**Agere Systems Inc.  
(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), DOES HEREBY CERTIFY:

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

**AGERE SYSTEMS INC.**

By Paul Bento  
Paul Bento, Vice President

APPENDIX B (continued)  
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Fischer 22-9-7-7	9/29/1999			09/407866
Fischer 23-4	10/7/1999			09/413980
Fischer 23-7	9/29/1999			09/407858
Fischer 24-18-2	8/3/1999			09/388614
Fischer 25-14-37-18-2-6	10/8/1999			09/414566
Fischer 26-38-19-3-3	10/8/1999			09/414566
Fischer 26-8-13	6/4/2000			09/584438
Fischer 27-39-20-4-4	10/8/1999			09/414567
Fischer 28-12-8-8	5/24/2000			09/578082
Fischer 28-16-40-21-6-5-6	10/8/1999			09/414566
Fischer 29-18-41-22-7	11/2/1999			09/431913
Fischer 30	11/24/1999			09/448934
Fischer 31-42-23	6/13/2000			09/592864
→ Fischer 33-46-25	6/28/2000			09/605953
Fischer 36	11/8/2000		09/708342	
Fischer 4-88	2/23/1999			09/256048
Fischer 7-9	4/28/1997		08/847827	
Fischer 9-3-15-5	3/10/1998		08/037404	
Fitch 4-1	10/11/1998		08/730520	
Flock 6-51-8	3/17/1999			09/271254
Fleming 18-53-1-28	9/3/1998		09/146518	
Fleming 17-5-57-10-41	8/5/1998			09/389105
Fleming 38-45	5/27/1999			09/321076
Fleming 8-28-55-3	12/23/1999			09/472332
Fox 4-2	4/19/2000			09/551913
Francisco 1-18	12/27/1999		08/777333	
Francisco 2	12/27/1999		08/777311	
Francisco 3-2	8/17/1997		08/932809	
Franev 14-1-1	10/12/1999			09/418069
Frank 3-2-25	2/2/1999			09/241689
Frank 4-3-27	6/28/1999			09/322445
Fratl 3	2/6/1999	5/30/2000	6068130	09/244857
Fratl 8	6/30/2000			09/580522
Frai 3-3-14	2/12/1998		09/023220	
French 4-3-3	10/22/1997		08/955978	
French 6-4-9	6/19/1998		09/100067	
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Freund 17-1-20-17	9/30/1998		09/183242	
Freund 22-28-22	10/28/1998	3/14/2000	6036186	09/178899
Freund 24-10-27-24-11	12/10/1998	8/15/2000	6102287	09/208788
Freund 27-8-30-27-42	12/23/1998			09/219784
Freund 32-40-32	4/5/1999	02/28/00	6029427	
Freund 38-44-38	4/13/1999			09/290421
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Freund 51-58-48-30	7/15/1999			09/363764
Freund 60-87-58	10/13/1999			09/417710
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